

RECEIVED
CENTRAL FAX CENTERREMARKS

AUG 15 2007

This is in response to the Office Action dated March 15, 2007. Claims 1-7 and 14-20 are pending. Claims 8-13 are withdrawn from consideration.

Rejection Under 35 U.S.C. §102(b)

Claim 14 stands rejected under 35 U.S.C. 102(b) as being anticipated by U.S. 4,910,280 to Robbins III.

Applicants have amended claim 14 to clarify that the first and second polymer pieces are trim pieces. No new matter has been added and support for the amendment can be found throughout the Specification. Robbins describes a modular dock bumper, not a trim piece as claimed. Additionally, Applicants have amended claim 14 to clarify C-Shaped means the shape is concave, not the convex radius of the L-shaped part to which the Examiner points to in Robbins Figure 8.

In view of this amendment, Applicants respectfully submit that claim 14 defines over the prior art. Applicants respectfully request that the rejection of claim 14 be withdrawn.

Rejections Under 35 U.S.C. §103(a)

Claims 1, 6 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 6,354,057 to Ploplis in view of Robbins III.

Claims 2-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 6,354,057 to Ploplis in view of Robbins III and further in view of Enlow et al.

The Office states that Ploplis teaches a corner finishing trim having first and second thermoplastic pieces (Fig. 11), the first and second polymer pieces are then shown in Fig. 1 to be welded together (col. 6, line 65) to form an angle. The Office further states that since Ploplis teaches pieces welded together, it is considered to read on the claims.

Applicants respectfully traverse this rejection. Applicants claim, in part, "...said first polymer piece and said second polymer piece are welded together". Ploplis specifically teaches "...edges 35 (of a single piece) are welded together to form a three-dimensional structure." See also Fig. 8. Nowhere do Ploplis teach or suggest two separate pieces (a first extruded polymer piece and a second extruded polymer piece) being welded together, as Applicants claim. In fact Ploplis teaches away from this claimed construction, as when there are two separate pieces in Ploplis, such as in Fig. 12, the separate pieces are butted together, but there is no mention of welding the separate pieces shown in Fig. 12 only the edges of the one piece structure shown in Fig. 11. As such, it is respectfully submitted that the Office Action does not meet the criteria for establishing a *prima facie* case of obviousness.

Further, Applicant claims "said first and second pieces include flanges for slidably receiving a first trim piece and a second trim piece at the corners of a wall". Ploplis is a thin piece of plastic with no dimensionality to provide the overlap as claimed. In fact, Ploplis teaches away from a slideable reception, as Ploplis suggests a "Seamless" trim (ref. Ploplis' title), which is not achievable with a three-dimensional slideable joint. Furthermore, the combination of Robbins and Ploplis is inoperative, as Robbins teaches a completely different construction for a boat bumper providing thickness for a boat hitting it, not for aesthetic reasons or to provide a trim piece as shown by Ploplis. If one were to provide the thick design taught by Robbins, it would frustrate the teachings of Ploplis and make it inoperative – as Robbins teaches seams (not seamless) construction and if one were to put the scored lines of Ploplis (eg ref. Figs 7, 8 and 9), Robbins would not form an acceptable trim piece – and certainly not a seamless one.

Aug. 15. 2007 7:17PM Owens Corning

RECEIVED
CENTRAL FAX CENTER No. 0129 P. 8

AUG 15 2007

To establish a *prima facie* case of obviousness, three criteria must be met.

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the applied reference must teach or suggest all the claim limitations. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. Further, the fact that the claimed invention is within the capabilities of one of ordinary skill in the art is not sufficient by itself to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the references. See MPEP §2143.

Applicants respectfully request that the 103(a) rejections of claims 1-7 be withdrawn.

Claims 15-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 4,910,280 to Robbins III in view of Enlow et al.

Claim 19 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Robbins III.

Claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Robbins III in view of Ploplis.

As indicated above, claim 14 has been amended to clarify that the polymer pieces are concave and Claim 14 now defines over the Robbins III reference. Claims 15-20 ultimately depend from newly amended 14 and contain the limitations thereof.

Applicants respectfully request that the 103(a) rejection of claims 15-20 be withdrawn.

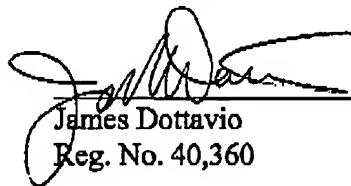
Conclusion

In view of the above, it is submitted that claims 1-7 and 14-20 are in condition for allowance. Reconsideration of the rejections is requested. Allowance of all claims

at an early date is solicited. If any questions should arise with respect to the above Remarks, or if the Examiner has any comments or suggestions to place the claims in better condition for allowance, it is requested that the Examiner contact Applicants' agent at the number listed below.

Applicants authorize any fees required pertaining to this response be charged to Deposit Account No. 50-0568.

Respectfully submitted,



James Dottavio
Reg. No. 40,360

Date: August 15, 2007

Law Dept./Attn. Docket Administrator
Owens-Corning
2790 Columbus Road, Building 11
Granville, Ohio 43023
(740) 321-7167